IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1701 OF 2005

Krishnat Nathu Sakpal(Thanekar) & ors. Petitioners
vs.
State of Maharashtra & ors. Respondents

Mr.S.R.Borulkar for the petitioners.

Mr.R.M.Patne, A.G.P. for the respondents 1 and 2.

CORAM : R. M. LODHA &
R. S. MOHITE,JJ.

DATED : 3rd May 2005

P.C.

Heard Mr.S.R.Borulkar, the learned counsel for the petitioners and Mr.R.M.Patne, the learned A.G.P.

2. We do not deem it necessary to go into the diverse aspects raised in the writ petition on merits as in our considered view, the interest of justice shall be subserved if the Divisional Commissioner, Pune Division, Pune is directed to treat the notice dated 11.06.2001 (Ex.E) annexed with the writ petition as a representation to the Divisional Commissioner, Pune Division, Pune for redressal of their grievance and the Divisional Commissioner, Pune Division, Pune considers the said representation in accordance with law and informs the petitioners accordingly.

3. We, therefore, dispose of the writ petition by the

following order:

(i) The Divisional Commissioner, Pune Division, Pune shall treat the petitioners notice under Section 80 C.P.C. dated 11.06.2001 (Ex.E) as a representation to him for redressal of their grievance.

(ii) The Divisional Commissioner, Pune Division, Pune shall consider the petitioners aforesaid representation as early as possible and in no case later than three months from the date of communication of this order and communicate his decision to the petitioners immediately thereafter.

(iii) Liberty to the petitioners to challenge the decision of the Divisional Commissioner, Pune Division, Pune, if aggrieved.

(R.M. LODHA,J.)

(R.S. MOHITE,J.)